



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
**75 Hawthorne Street**  
**San Francisco, CA 94105-3901**

January 17, 2007

John Krause  
Branch of Environmental Management  
Department of the Interior, Bureau of Indian Affairs  
Western Regional Office  
P.O. Box 10  
Phoenix, Arizona 85001-0010

Dear Mr. Krause:

The United States Environmental Protection Agency, Region 9 Ground Water Office (EPA) is in receipt of documentation confirming the closure of a shallow injection well formerly used for the disposal of motor vehicle waste at the United States Department of Interior, Bureau of Indian Affairs (BIA) Road Shop (Building 323) in Owyhee, Nevada. The presence of this injection well was initially confirmed through an inspection on October 19, 1994. EPA issued an Administrative Order (UIC-EO-95-001) pursuant to Safe Drinking Water Act Section 1431, dated June 16, 1995, finding that past disposal practices at the Roads Shop were likely to be endangering of an underground source of drinking water.

According to information received to date from BIA and its representatives, BIA ceased use of the disposal well for any purpose, having dismantled the Roads Shop, the adjacent shed, the injection well, and associated piping. Additionally, contaminated soil was removed in 1999 and thereafter.

In 1999, EPA promulgated regulations more explicitly prohibiting the use of shallow injection wells for the disposal of motor vehicle fluids. For the purposes of complying with the ban on motor vehicle waste disposal wells effective January 1, 2007, EPA has changed the status of the BIA Owyhee injection well from "temporarily abandoned" to "permanently abandoned and approved." This change, however, does not relieve BIA of any outstanding obligations stemming from the Administrative Order.

Outstanding obligations remaining from the Administrative Order include locating an alternative vehicle maintenance fluid storage area, and remediating any ground water contamination found to be caused by Roads Shop contamination from the injection well, the leaking Underground Storage Tank, associated pipelines, or other contaminating practices. Pursuant to your discussion with Elizabeth Janes of my staff, EPA requests that BIA prepare a list linking each of the Order's requirements to BIA actions, taken or

Elizabeth  
Janes/R9/USEPA/US  
03/15/2007 09:17 AM

To Aaron Setran/R9/USEPA/US@EPA  
cc  
bcc  
Subject Fw: Duck Valley (NV) UIC enforcement action



1431DuckValley summary.xls BIA DuckValleyClosure.doc  
these are in g:/wtr9/tribaluc/tribes/duck valley.

----- Forwarded by Elizabeth Janes/R9/USEPA/US on 03/15/2007 09:16 AM -----

Elizabeth  
Janes/R9/USEPA/US  
01/19/2007 02:12 PM

To Aaron Setran/R9/USEPA/US, Roger Yates/R9/USEPA/US,  
Steven Linder/R9/USEPA/US, dominic.wolf@ihs.gov  
cc  
Subject Duck Valley (NV) UIC enforcement action

Hello: the attached document refers to a 1995 enforcement order against BIA for the operation of a motor vehicle waste disposal well at the Owyhee Road Maintenance Station located in Duck Valley (eastern Nevada.)

There was a 1/1/07 deadline for closing motor vehicle waste disposal wells, so this letter confirms compliance with that requirement by the BIA. However, the BIA still has some outstanding cleanup obligations.

I am cc'ing the UST program because the bulk of UIC-related work is finished, but groundwater remediation from a leaking tank is still underway. Steven, please let Aaron Setran and I know if you are willing to assign any of your staff to help us follow up on this.

Roger Yates is the public water supply contact for the Duck Valley reservation.



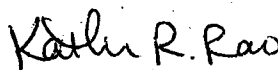
Status1431Jan2007.pdf

Elizabeth Janes  
(415) 972-3537, FAX (415) 947-3549  
USEPA Region 9 Ground Water Office (WTR9)  
Underground Injection Control Program  
75 Hawthorne Street, SF, CA 94105  
[www.epa.gov/region09/water/groundwater/index.html](http://www.epa.gov/region09/water/groundwater/index.html)

planned, by April 19, 2007. The summary will provide a basis for discussion between BIA, EPA, the Indian Health Service, and the Tribe to determine what is needed to conclude this matter.

If you would like to discuss this further, please call Elizabeth Janes at (415) 972-3537 or Aaron Setran at (415) 972-3457.

Sincerely,

  
David Albright, Manager<sup>for</sup>  
Ground Water Office (WTR9)

Cc: Environmental Director, Shoshone-Paiute Tribes of the Duck Valley Reservation, POB 219, Owyhee NV 89832  
Dominic Wolf, USPHS, IHS 1395 Greg Street Reno NV 89509 dominic.wolf@ihs.gov  
EPA Underground Storage Tank program